

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

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TRAVIS CO. JOINT VENTURE, §
ROGER C. HILL, SR., & BRUCE HILL §

Plaintiffs, §

v. §

HENNESSEE GROUP, L.L.C., §
ELIZABETH LEE HENNESSEE §
and CHARLES J. GRADANTE §

Defendants. §

CASE NO. 06-CV-146

AGREED MOTION FOR EXTENSION OF TIME

TO THE HONORABLE JUDGE OF SAID COURT:


NOW COME Plaintiffs Travis Co. Joint Venture, Roger C. Hill, Sr. and Bruce Hill, and Defendants Hennessee Group LLC, Charles Gradante and E. Lee Hennessee and file this Motion for an Extension of Time requesting the Court extend the deadlines for Plaintiffs to amend the complaint and Defendants to file a response to the Amended Complaint. In support of this Motion, the parties state as follows:

1. Plaintiffs counsel just entered the case as substitute counsel yesterday, April 5, 2006.
2. Further, the parties are discussing whether the case should be stayed for purposes of arbitration and/or mediation.
3. The parties' proposed deadlines will not interfere with the parties' compliance with the Courts order of February 23, 2006, requiring the parties to propose a schedule of pre-trial deadlines.
4. Attached is a letter agreement of counsel for the parties.

WHEREFORE, premises considered, the parties request that the Court grant the Motion for Extension of Time.

Respectfully submitted,

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State Bar No. 00794104
ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent via certified mail, return receipt requested, to the following counsel of record on this the 6th day of April, 2006:

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April 6, 2006

Via Courier

Honorable Judge Fred Biery
District Court Judge for the Western
District of Texas, San Antonio Division

Re: *Travis Co. Joint Venture, Roger Hill, Sr. and Bruce Hill v. Hennessee Group, LLC, Charles Gradante and E. Lee Hennessee*
CIVIL ACTION NO. SA-06-CA-0146-FB

Dear Honorable Judge Fred Biery:

On or about December 30, 2005, Plaintiffs filed their Petition against Defendants for (1) negligence, (2) negligent misrepresentation, and (3) breach of fiduciary duty, in the 131st Judicial District Court of Bexar County, Texas. On or about February 15, 2006, Defendants timely filed a Notice of Removal within the 30-day time period required by 28 U.S.C. § 1446(b). The parties have since negotiated two extensions of time in which Defendants had to answer, move or otherwise respond to the Complaint.

Pursuant to the most recent extension filed on March 6, 2006, it was the parties' understanding the Plaintiffs would amend their Complaint and Defendants would respond accordingly on or before April 6, 2006. However, since that time, Plaintiffs have retained new counsel to prosecute their case. Due to these unforeseen events, Plaintiffs have not had an opportunity to file their amended complaint.

Accordingly, the parties are proposing the following deadlines for the filing of and response to the amended complaint: (1) Plaintiffs will file an amended complaint on or before April 17, 2006; (2) Defendants will answer, move or otherwise respond to the amended

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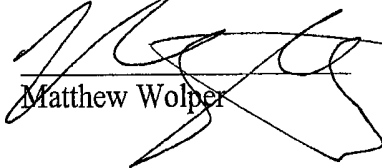
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complaint on or before May 15, 2006; and (3) Defendants are excused from responding to the initial Complaint. The parties assure the Court that nothing in this agreement will interfere with the parties' ability to timely submit a proposed scheduling order in accordance with the Court's Order dated February 23, 2006.

Respectfully submitted,


BRESSLER, AMERY & ROSS, P.C.
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Group, LLC, Charles Gradante and
Elizabeth Lee Hennessee

By:


Matthew Wolper

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